<center>**Remarks**</center>

Applicant respectfully requests that this Amendment After Final Action be admitted under 37 C.F.R. § 1.116.

Applicant submits that this Amendment presents claims in better form for consideration on appeal. Furthermore, applicant believes that consideration of this Amendment could lead to favorable action that would remove one or more issues for appeal.

Claim 75 has been amended. No claims have been canceled. Therefore, claims 49-87 are now presented for examination.

Claims 75-87 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicant submits that claim 75 has been amended as suggested by the Examiner.

Claims 49-87 stand rejected on the grounds of Res Judicata based on a prior adjudication against the inventor on patentably non-distinct claims involving the same issues. Applicant maintains that the present claims are not subject to Res Judicata.

In an Appellate Decision ("Decision") by the Board of Patent Appeals and Interferences ("Board") decided January 23, 2008, the Board upheld the Examiner's rejection of the independent claims. Particularly, the Board ruled that the claim language *each page object includes source content in a presentation language used in a source document and determined formatting properties for one page* "<u>broadly encompasses a page object with source content in the presentation language used in the source document and the determined formatting properties consisting of one or more pages</u>." See Decision at Page 9, lines 5-8.

Independent claims 49, 62 and 75 each recite *a first page object including source content in a presentation language used in a source document and formatting properties for only a first page, and a second page object including the source content in the presentation language used in the source document and formatting properties for only a second page.* Thus, the present claims explicitly limit a *first page object **applying only** to a first page* and a *second page object **applying only** to a second page* in order to differentiate from the Board's construction in the Decision of "page objects" not being limited to a *single page*. Accordingly, the limitations of the independent claims have not been adjudicated.

Claims 49-56, 60-69, 73-81 and 85-87 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Adler et al., "Extensible Stylesheet Language (XSL) Version 1.0" ("Adler") in view of Saito et al., U.S. Patent No. 5,323,312 ("Saito"). Applicant submits that the present claims are patentable over Adler in view of Saito.

Adler has been cited in the Office Action as disclosing this feature. See Office Action at Page 7, ll. 7-12. Adler discloses a set of formatting objects in XSL to describe both a layout structure of a page or "frame" (how big is the body; are there multiple columns; are there headers, footers, or sidebars; how big are these) and the rules by which the XML source content is placed into these "containers". The layout structure is defined in terms of one or more instances of a "simple-page-master" formatting object. This formatting object allows one to define independently filled regions for the body (with multiple columns), a header, a footer, and sidebars on a page. These simple-page-masters can be used in page sequences that specify in which order the various simple-page-masters shall be used. The page sequence also specifies how styled content is to fill

those pages. This model allows one to specify a sequence of simple-page-masters for a book chapter where the page instances are automatically generated by the formatter or an explicit sequence of pages such as used in a magazine layout. Styled content is assigned to the various regions on a page by associating the name of the region with names attached to styled content in the result tree. In addition to these layout formatting objects and properties, there are properties designed to provide the level of control over formatting that is typical of paginated documents. This includes control over hyphenation, and expanding the control over text that is kept with other text in the same line, column, or on the same page. See Adler at Section 1.2.3.

Saito discloses a mechanism that provides a document layout processing for efficiency of layout processing of a layout structure corresponding to a particular document. See Saito at paragraph 4, ll. 46-52.

As discussed above, independent claims 49, 62 and 75 each recite a first page object including source content in a presentation language used in a source document and formatting properties for only a first page, and a second page object including the source content in the presentation language used in the source document and formatting properties for only a second page.

Applicant submits that Adler does not disclose a ***first page object including formatting properties for <u>only</u> a first page*** and a ***second page object including formatting properties for <u>only</u> a second page***. Thus, claims 49, 62 and 75, and their respective dependent claims, are patentable over Adler in view of Saito.

Claims 57, 59, 70, 72, 82 and 84 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Adler in view of Saito and further in view of Barry et al., U.S. Patent

No. 6,606,165 ("Barry").  Further, claims 58, 71 and 83 stand rejected under 35 U.S.C. §

103(a) as being unpatentable over Adler in view of Saito, further in view of Barry and

further in view of  Sall, "FOP: Formatting Object to PDF Translator (James Tauber,

1999)", ("Sall").  Applicant submits that the present claims are patentable over any

combination of Adler, Saito, Barry and Sall.  Since none of the references disclose or

suggest recite a first page object including source content in a presentation language used

in a source document and formatting properties for only a first page, and a second page

object including the source content in the presentation language used in the source

document and formatting properties for only a second page.

 Applicant respectfully submits that the rejections have been overcome, and that

the claims are in condition for allowance.  Accordingly, applicant respectfully requests

the rejections be withdrawn and the claims be allowed.

 The Examiner is requested to call the undersigned at (303) 740-1980 if there

remains any issue with allowance of the case.

 Please charge any shortage to our Deposit Account No. 50-3669.


     Respectfully submitted,
     BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


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